

*File: Sec Misc*

OLL: 85-2991



CENTRAL INTELLIGENCE AGENCY

Office of Legislative Liaison  
Washington, D. C. 20505

Telephone: 351-6121  
7 October 1985

**TO:** Mr. Thomas K. Latimer, Staff Director  
Permanent Select Committee on Intelligence  
House of Representatives  
H-405, The Capitol  
Washington, D.C. 20515

Dear Tom:

Enclosed are copies of two warrants in the Howard case obtained from the FBI over the weekend. There is a third document but it is still sealed and, because of that, I suggest that if the Committee wishes to attempt to get a copy, they contact the Department of Justice directly.

Sincerely,



Deputy Director

Enclosures

25X1

FORM 3-79 **1533** OBSOLETE PREVIOUS EDITIONS.

(40)

Distribution:

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DD/OLL:ELS:mlg (7 Oct 1985)

NOTE: The third document (Search Warrant) was not forwarded to the Committees. Two copies of the Search Warrant will be filed in OLL Registry and the third copy will be filed in ~~DD/OLL chrono.~~  
*OCA Registry*

OLL: 85-2991/1



CENTRAL INTELLIGENCE AGENCY

Office of Legislative Liaison

Washington, D. C. 20505

Telephone: 351-6121

7 October 1985

**TO:** Mr. Daniel P. Finn, Minority Counsel  
Select Committee on Intelligence  
United States Senate  
~~211 Hart Senate Office Building~~  
Washington, D.C. 20510

Dear Dan:

Enclosed are copies of two warrants in the Howard case obtained from the FBI over the weekend. There is a third document but it is still sealed and, because of that, I suggest that if the Committee wishes to attempt to get a copy, they contact the Department of Justice directly.

Sincerely,



Deputy Director

Enclosures

FORM 1533 OBSOLETE  
3-79 PREVIOUS EDITIONS.

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1 - OLL Subject "  
1 - OLL Chrono w/o encls.  
DD/OLL:ELS:mlg (7 Oct 1985)

**Page Denied**

AO 91  
Rev. 11/82**AMENDED  
CRIMINAL COMPLAINT**

|  |   |
|--|---|
| <b>United States District Court</b>                        | DISTRICT<br><b>NEW MEXICO</b>             |
| UNITED STATES OF AMERICA<br>v.<br><b>EDWARD LEE HOWARD</b> | DOCKET NO.<br><b>85-1807-N</b>            |
|  | MAGISTRATE'S CASE NO.<br><b>85-1807-N</b> |

**COPY**Complaint for violation of Title **18**United States Code § **794(c)**

|   |   |  |  |
|---|---|--|--|
| NAME OF JUDGE OR MAGISTRATE<br><b>Honorable Stanley Buehl</b> |   | OFFICIAL TITLE<br><b>United States<br/>Magistrate</b>                            | LOCATION<br><b>Albuquerque, New Mexico</b> |
| DATE OF OFFENSE<br><b>Feb 15, 1984<br/>to<br/>Oct 1, 1985</b> | PLACE OF OFFENSE<br><b>District of New Mexico</b> | ADDRESS OF ACCUSED (IF KNOWN)<br><b>108 Yerano Loop<br/>Santa Fe, New Mexico</b> |  |

## COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:

See Attached Exhibit A which is made a part hereof by reference

## BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED.

See Attached Affidavit which is made a part hereof by reference

## MATERIAL WITNESSES IN RELATION TO THIS CHARGE:

S/A Martin R. Schwartz and S/A Jerry Brown

Being duly sworn, I declare that the foregoing is true  
and correct to the best of my knowledge.

SIGNATURE OF COMPLAINANT (OTHER THAN

OFFICIAL TITLE

**Special Agent, FBI**

Sworn to before me and subscribed in my presence.

SIGNATURE OF MAGISTRATE(S)

DATE

**EXHIBIT "A"**

Beginning in or about 1984, and continuing to the date of the filing of this complaint, in the District of New Mexico and elsewhere, Edward Lee Howard, the defendant herein, did unlawfully, knowingly and willfully conspire and agree with other persons to communicate, deliver, and transmit to a foreign government that is, the Union of Soviet Socialist Republics, and representatives, officers, and agents thereof, information relating to the national defense of the United States with intent and reason to believe that said information would be used to the injury of the United States and to the advantage of the Union of Soviet Socialist Republics.

In furtherance of the conspiracy and to effect the objects thereof, the following overt acts, among others were committed in the District of New Mexico and elsewhere:

1. In the fall of 1984, defendant Edward Lee Howard traveled from Santa Fe, New Mexico, to Austria.
2. In July 1985, defendant Edward Lee Howard traveled from Santa Fe, New Mexico to South Padre Island, Texas.

All in violation of Title 18, United States Code, Section 794(c).

STATE AND DISTRICT OF NEW MEXICO )

CITY OF ALBUQUERQUE )

COUNTY OF BERNALILLO ) SS. AFFIDAVIT

The undersigned, being duly sworn, deposes and says as follows:

1. I am a Special Agent of the Federal Bureau of Investigation assigned to the Albuquerque Division. The information set forth in this affidavit is known to me as a result of my own investigation or has been communicated to me by the other agents of the Federal Bureau of Investigation in the Albuquerque and other FBI Offices.

2. Defendant Edward Lee Howard resides at 108 Varano Loop Santa Fe, New Mexico, and has lived there since approximately 1983. Howard was employed by the Central Intelligence Agency (CIA) from January, 1981 until June, 1983. While employed at the CIA, Howard held a security clearance and had access to highly classified information concerning U.S. Intelligence matters.

3. Recently, a confidential source with intimate knowledge of Soviet intelligence matters reported that senior officials of the Soviet Committee for State Security ("KGB") met in Austria in the fall of 1984 with a former CIA employee. The former CIA employee was paid money in exchange for classified

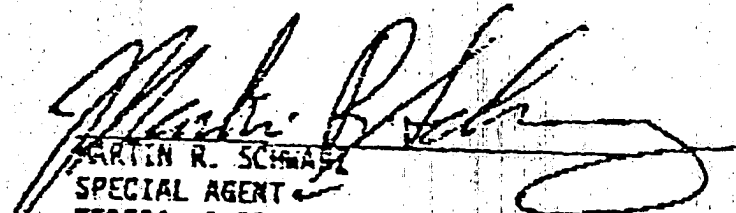
information relating to U.S. intelligence sources and methods. Investigation has determined that Howard was in St. Anton, Austria on September 20, 1984.

4. On September 24, 1984, defendant Howard met with two current employees of the CIA. Howard told these individuals that in October of 1983, he had traveled to Washington, D.C. and spent hours in the vicinity of the Soviet Embassy trying to decide whether to enter the Embassy and disclose classified information. Howard claimed he did not enter the Embassy.

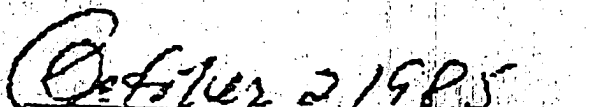
5. Another confidential source advised the FBI on September 25, 1985 that Howard told the source in July 1985 that he (Howard) had met in Europe with the Soviets, gave them

information, and had received cash. *Howard told the conf. source the Soviets had paid for his trip to Europe in 1984 and Howard had his KGB contact while in Europe.*

6. On September 23, 1985, defendant Howard's employer turned over to the FBI a note Howard had left in the employer's custody during the weekend of September 21-22, 1985. The note stated in part, "Well, I'm going and maybe I'll give them what they think I already gave them." Defendant Howard has not been seen since the note was recovered.

  
MARTIN R. SCHWAB  
SPECIAL AGENT  
FEDERAL BUREAU OF INVESTIGATION

SUBSCRIBED AND SWORN to before me this the 2nd day of October, 1985.

  
OFFICER 21985  
UNITED STATES MAGISTRATE JUDGE

(u)

(Rev. 5-18-78)

C

O

Transmit attached by Facsimile - **UNCLAS**

Precedence Immed.

To: Director FBI  
From: SAC, AB (65A-540)  
Subject: TRUMPHE  
ESP-R

Date: 10/4/80

Time Transmitted:

Initials:

☐ Fingerprint Photo ☐ Fingerprint Record ☐ Map ☐ Newspaper clipping ☐ Photograph  
☐ Artists Conception

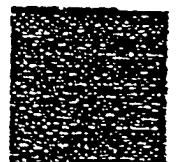
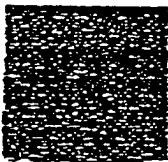
1-10m - Legal document 5

Special handling instructions:

Hand carry immediately to SSA Graham

Approved: [Signature]

PR1/002

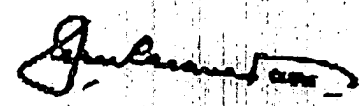


WARRANT RE:  
UNLAWFUL FLIGHT



Rev. 5/82

## WARRANT FOR ARREST

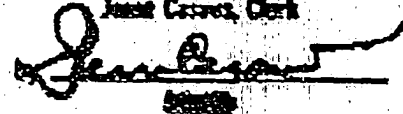
|   |  |  |
|---|--|--|
| <b>United States District Court</b><br>UNITED STATES OF AMERICA<br>v.<br><b>EDWARD L. HOWARD</b>  |  | DISTRICT<br><b>NEW MEXICO</b><br>DOCKET NO.<br>NAME AND ADDRESS OF INDIVIDUAL TO BE ARRESTED<br><b>EDWARD L. HOWARD</b><br><b>SEP 27 1985</b><br> |
| ANY ISSUED ON THE BASIS OF:<br>Indictment <input type="checkbox"/> Information <input type="checkbox"/> Order of Court <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> |  | UNITED STATES DISTRICT COURT<br>ALBUQUERQUE, NEW MEXICO<br>SEP 27 1985   |
| Any duly authorized law enforcement officer   |  |  |
|   |  | DISTRICT OF ARREST<br><b>NEW MEXICO</b><br>CITY  |

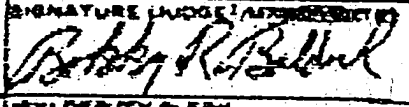
YOU ARE HEREBY COMMANDED to arrest the above-named person and bring that person before the nearest available magistrate to answer to the charge(s) listed below.

## DESCRIPTION OF CHARGES

Unlawful Flight to Avoid Custody, in violation of Title 18, U. S. Code, Section 1073, as described in this criminal complaint.

CERTIFIED a True Copy of the original filed in my office.  
 Janet Carrico, Clerk



|                 |   |                 |
|-----------------|---|-----------------|
| IN VIOLATION OF | UNITED STATES CODE TITLE<br>18  | SECTION<br>1073 |
| FILED BY COURT  | OTHER CONDITIONS OF RELEASE   |                 |
| FILED BY        | SIGNATURE JUDGE / AUTHORIZED CLERK<br> | DATE<br>9-27-85 |
| BY COURT        | BY / DEPUTY CLERK   | DATE ISSUED     |

STATE AND DISTRICT OF NEW MEXICO)

CITY OF ALBUQUERQUE )

COUNTY OF BERNALILLO )

AFFIDAVIT

The undersigned, being duly sworn, deposes and says as follows:

That I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI), assigned to the Albuquerque Division. Investigation by Special Agents of the FBI at Santa Fe, New Mexico, determined that EDWARD LEE HOWARD was sentenced by Judge BRUCE E. KAUFMAN on April 25, 1984, to a deferred sentence and probation for five years on a charge of assault with a deadly weapon.

On September 26, 1985, Judge KAUFMAN issued a bench warrant for EDWARD LEE HOWARD for his failure to comply with the conditions of his probation. A certified copy of this bench warrant is attached and is incorporated herein by reference.

On September 27, 1985, Chief Probation Officer HENRY ACHONDE, New Mexico Probation Office, advised that his office would take all necessary steps to have EDWARD LEE HOWARD extradited and removed to the State of New Mexico for the above violation.

On September 20, 1985, EDWARD LEE HOWARD was interviewed by Special Agents of the FBI.

Investigation by Special Agents of the FBI has revealed that on or about the evening of September 21, 1985, EDWARD L. HOWARD departed his residence at 108 Verano Loop, Santa Fe, New Mexico. By letter dated September 22, 1985, HOWARD resigned from his employment at Santa Fe, New Mexico, for personal reasons and requested that all monies due him, including travel reimbursements, salary and his retirement be given to his wife, MARY C. HOWARD. This notification also stated that he hoped to some day be able to explain his resignation to his supervisors and the rest of that staff.

On September 23, 1985, HOWARD'S immediate supervisor at his place of employment provided to Special Agents of the FBI a handwritten note that HOWARD had left with him to provide to HOWARD'S wife, MARY C. HOWARD. A review of this note reveals that EDWARD HOWARD instructs his wife to "sell the house, Jeep, etc., and move with one of our parents and be happy." In addition, HOWARD tells his wife to tell their son, LEE, that "I think of him and you each day until I die." Subsequently, Agents of the FBI learned that MARY C. HOWARD travelled to the State of Minnesota. Your affiant believes that after HOWARD'S interview with the FBI and his speculation that he would be charged with a federal violation, he fled sometime during the evening of September 21, 1985, from the State of New Mexico.

On September 23, 1985, U. S. Magistrate SUMNER G. BUELL issued a warrant for the arrest of EDWARD LEE HOWARD charging him with violation of Title 18, U. S. Code, Section

794(c).

Investigation by the FBI had determined that HOWARD had travelled to and from Europe and Mexico in the past. In addition, due to the gravity of the charges against HOWARD and because of his training, background and experience, your affiant believes that he has sought refuge outside the State of New Mexico.

All the information provided in this affidavit by your affiant has come to his attention through his direct involvement and direction of this investigation. Your affiant believes that EDWARD L. HOWARD did knowingly flee from the State of New Mexico, in violation of New Mexico State Statutes, and in violation of Title 18, U. S. Code, Section 1073.

\_\_\_\_\_  
GERALD B. BROWN  
Special Agent  
Federal Bureau of Investigation